

Special Legislature Meeting December 2, 2021

Chairman Lynne Johnson called the meeting to order at 4:30 p.m. Veteran Legislator Kenneth DeRoller led us in the Pledge to the Flag and invocation.

Clerk Lisa Stenshorn called the roll. All Legislators were present with the exception of Legislator Miller.

Chairman Johnson asked the Legislators for any comment as they relate to the resolutions, there were none offered. She then offered public comment from the public. Hearing no public comment on resolutions, Chairman Johnson began with the presentation of resolutions.

Legislator Allport stated that during this process he made a recommendation to use some sales tax surplus, accumulated over the last few years, to have a zero tax increase. Mr. Allport made the following three points. The housing study showed that low to moderate individuals need housing and those on fixed incomes. During times of inflation, which the Federal Government says is 5.6%, which is more likely in the double digits. These people's paychecks have less purchasing power. A product that costs \$2 is sixteen cents tax, now costs \$3 which is twenty-one cents tax. Inflation hurts these people. These individuals are trying to pay for fuel oil, food and just maintain. Property taxes affect everyone. Especially small business trying to stay open during this period of shut downs and lockdowns by NYS. Individuals that own apartment housing don't have money to pay for inflation. That cost has been passed onto the people renting. This affects social services costs. People on fixed incomes that actually own their houses cannot afford increases in property taxes. If you have been following the housing market in the state for the last 18 months; houses have been going for astronomical prices \$10,000 to \$60,000 over what they are evaluated assessed for. Years ago, I attended the assessor meetings shared by Dawn Allen, to find out how this process worked. I contested my own house assessment, doing the research and work, to see how this works. I gathered comparables from a realtor, then the assessor told me those comparables are not what they use. If anyone thinks that next year during re-evaluations, your housing assessment are going to skyrocket with what houses have been selling for the last 18 months all over this county, these individuals are going to get hit with a huge tax increase. That is why I think it is critical to have this zero tax increase. That is why I am voting against this budget. The following resolution was adopted.

RESOLUTION NO. 524-1221

ADOPTING THE 2022 ORLEANS COUNTY BUDGET

WHEREAS, the 2022 tentative budget for Orleans County was presented to the general public at a public hearing held at 4:30 p.m. on December 1, 2021; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2022 tentative budget, as the Orleans County budget for 2022, with a tax levy of \$18,657,000.

Moved, DeFilipps, second, DeRoller.

Roll Call: 5 ayes-DeFilipps, DeRoller, Draper, Eick, Johnson; 1 nay-Allport; 1 absent-Miller.

Adopted.

RESOLUTION NO. 525-1221

APPROVING APPORTIONMENT OF THE 2022 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2022, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature as provided below:

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	Omitted Tax	2022 Total Levy	2022 Tax Levy
Albion	237,805,527	234,829,922	89%	267,197,221	12.98%		2,421,678.6000	2,421,678.60
Barre	115,883,525	114,256,037	100%	115,883,525	5.63%		1,050,389.1000	1,050,389.10
Carlton	231,544,486	227,990,261	92%	251,678,789	12.22%		2,279,885.4000	2,279,885.40
Clarendon	175,195,614	171,652,682	87%	201,374,269	9.78%		1,824,654.6000	1,824,654.60
Gaines	134,195,802	131,928,377	89%	150,781,800	7.32%		1,365,692.4000	1,365,692.40
Kendall	171,031,955	168,746,402	95%	180,033,637	8.74%		1,630,621.8000	1,630,621.80
Murray	199,955,629	195,786,232	92%	217,343,075	10.56%		1,970,179.2000	1,970,179.20
Ridgeway	244,379,097	239,701,800	88%	277,703,519	13.49%		2,516,829.3000	2,516,829.30
Shelby	202,306,060	199,314,721	90%	224,784,511	10.92%		2,037,344.4000	2,037,344.40
Yates	166,893,840	164,173,420	97%	172,055,505	8.36%		1,559,725.2000	1,559,725.20
Omitted Total						0.00	0.00	0.00
Totals	1,879,191,535	1,848,379,854		2,058,835,851	100%		18,657,000.0000	18,657,000.00

Moved, DeFilipps, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 526-1221

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2021 Unpaid Solid Waste/Recycling Fees to the 2022 tax rolls of the several towns in Orleans County:

TOWN	AMOUNT
Albion	\$ 14,969.40
Inside	
Outside	4,740.31
Barre	5,987.76
Carlton	11,601.06
Clarendon	4,490.82
Gaines	498.98
Inside	
Outside	3,243.37
Kendall	4,490.82
Murray	6,486.74
Inside	
Outside	6,361.97
Ridgeway	10,229.09
Inside	
Outside	12,225.01
Shelby	7,983.68
Inside	
Outside	8,981.64

Yates	Inside	2,245.41
	Outside	7,733.99
<hr/>		
Total		\$ 112,270.05

Moved, DeFilipps, second, DeRoller.
 Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 527-1221

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2022 tax rolls of the respective towns as of November 1, 2021:

TOWN		AMOUNT
Albion	Inside	\$ 129,521.10
	Outside	83,121.27
Barre		75,511.81
Carlton		237,030.27
Clarendon		166,342.00
Gaines	Inside	6,340.03
	Outside	65,992.54
Kendall		84,667.99
Murray	Inside	98,601.27
	Outside	157,922.41
Ridgeway	Inside	127,450.62
	Outside	155,749.64
Shelby	Inside	110,687.53
	Outside	138,358.39
Yates	Inside	31,942.45
	Outside	124,586.20
<hr/>		
Total		\$1,793,825.52

Moved, DeFilipps, second, DeRoller.
 Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 528-1221

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2022 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	\$ 134,893.62
	Town of Gaines	7,037.94
Village of Holley		59,005.55

Village of Lyndonville		24,978.83
Village of Medina	Town of Ridgeway	101,314.51
	Town of Shelby	83,764.30
<hr/>		
TOTAL		\$ 410,994.75

Moved, DeFilipps, second, DeRoller.
 Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 529-1221

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2022; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	140,000.00	328,911.00	
Barre		661,444.00	
Carlton		666,856.00	
Clarendon		430,000.00	
Gaines	40,000.00	159,455.00	15,000.00
Kendall		448,378.00	
Murray	187,491.00	211,676.00	31,370.00
Ridgeway	225,313.00	290,273.00	25,455.00
Shelby	302,000.00	180,750.00	42,600.00
Yates	181,762.00	184,710.00	2,139.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	\$101,420.00
	Water District 1	0.00
	Water District 3	47,500.00
	Water District 4	21,460.00
	Water District 5	40,318.00
	Water District 6	17,000.00

	Water District 7	5,300.00
	Water District 8	15,000.00
	Water District 9	8,175.00
	Sewer District 1	47,118.00
Barre	Fire District	233,000.00
	Water District 2	9,369.00
	Water District 3	8,463.00
	Water District 4	11,495.00
	Water District 5	35,809.00
	Water District 6	46,210.00
	Water District 7	14,616.00
	Water District 8	25,703.00
	Water District 9	26,180.00
Carlton	Fire Protection	192,997.00
	Light District I	6,500.00
	Light District II	9,300.00
	Water	369,435.00
Clarendon	Fire Protection	196,516.01
	Water District 2	27,466.41
	Water District 3	56,307.38
	Water District 4	46,049.22
	Water District 5	10,980.76
	Water District 6	24,137.50
	Water District 7	38,628.99
	Water District 8	6,815.00
	Water District 9	5,282.50
	Water District #9 Ext	3,623.16
	Water District 10	60,976.93
	Water District 11	58,808.28
	Water District 12	16,806.25
	Water District 13	14,950.00
Gaines	Fire Protection	113,557.50
	Water District 2	7,277.00
	Water District 3	5,569.00
	Water District 6	6,542.00
	Water District 7	5,500.00
	Water District 8	7,200.00
	Water District 9	7,579.00
	Water District 10	8,369.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	83,141.00
	Light District 1	5,300.00
	Light District 2	2,985.00
	Light District 3	1,575.00

	Water District 1	4,503.00
	Water District 2	13,311.00
	Water District 3	18,944.00
	Water District 4	65,100.00
	Water District 5	13,380.00
	Water District 6	7,160.00
	Water District 7	12,222.00
	Water District 8	31,858.00
	Water District 9	3,074.00
	Water District 10	12,564.00
Murray	Fire District 2 (FHM)	365,292.00
	Light District 1 (Fancher)	2,900.00
	Light District 2 (Hulberton)	4,500.00
	Light District 3 (Brockville)	1,600.00
	Water District 1	0.00
	Water District 2	15,095.00
	Water District 3	10,167.50
	Water District 4	2,232.50
	Water District 5	1,152.50
	Water District 6	5,830.00
	Water District 7	10,750.00
	Water District 8	7,057.50
	Water District 9	2,507.50
	Water District 10	3,645.00
	Water District 11	82,730.00
	Water District 12	.00
	Water District 13	13,911.25
	Water District 14 (Gaines)	.00
	Water District 15	51,798.75
	Water District 16	18,510.63
Ridgeway	Fire Protection	194,851.00
	Light	4,000.00
	Water Improvement 31-E	0.00
	Water improvement 269	0.00
	Water District 2	15,104.17
	Water District 3	28,297.74
	Water District 4	67,081.25
	Water District 5	25,779.43
	Water District 6	11,181.25
	Water District 7	7,311.48
	Water District 8	8,992.23
	Water District 9	4,855.05
	Water District 10	12,226.63
	Water District 11	1,913.75
	Water District 12	14,334.81
	Water District 13	11,200.63
	Water District 14	10,678.75

	Knowlesville Sewer District	30,000.00
Shelby	Fire Protection District (Shelby & East Shelby)	290,000.00
	Light District 1 (Shelby)	6,500.00
	Light District 2 (Millville)	2,500.00
Yates	Fire Protection	120,200.00
	Water District 4	196,228.28

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	638.92			400,000.00
Barre	1,618.95			361,231.00
Carlton	20,351.69			368,194.00
Clarendon	2,909.21			433,000.00
Gaines	3,022.07			260,545.00
Kendall				282,646.00
Murray	5,252.38			382,575.00
Ridgeway	26,843.85			521,409.00
Shelby	66,690.38			600,850.00
Yates	3,650.29			398,061.00

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, DeFilipps, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 530-1221

AUTHORIZING COUNTY TREASURER TO CHARGE BACK ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND SCHOOL DISTRICTS

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 19, 2021, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	Court Order Total	TOTAL
------	-----------	----------	-----------	---------	--------------	----------------	---------------	----------------------	-------

ALBION									
Niagara/Orleans Land Develop.	73.7-2-35	2016-2019	1,443.83	189.30	1,215.51	462.38	987.74		4,298.76
CARLTON									
County of Orleans	7.-1-54.16	2021		75.00					75.00
County of Orleans	7.-1-61	2021		200.00					200.00
Connie & Christine Warren	19.-1-63.112	2019-2021		250.00					250.00
Connie & Christine Warren	19.-1-63.112	2021	6.25	125.00					131.25
CLARENDON									
Crystal Rex & Patrick William	98.13-1-6	2016-2020	2,640.98	2,585.01	2,860.78	947.64			9,034.41
Crystal Rex & Patrick Williams	120.-1-68	2016-2020	2,154.08	632.34	2,607.51	947.64			6,341.57
MURRAY									
Relentless Construction	77.17-2-44	2021					1,550.38		1,550.38
RIDGEWAY									
Jeffrey and Karen Rivers	70.2-2-6	2021		351.86					351.86
SHELBY									
Village of Medina	80.9-3-47	1999-2003	1,130.30	193.19	1,507.94		424.17		3,255.60
Village of Medina	80.10-2-9	1999-2003	688.16	113.43	895.24		309.66		2,006.49
Village of Medina	80.10-2-12	1999-2003	230.95	33.58	272.18		176.74		713.45
TOTALS			\$8,294.55	\$4,748.71	\$9,359.16	\$2,357.66	\$3,448.69		\$28,208.77

Grand Total = \$28,208.77

Moved, DeFilipps, second, DeRoller.
 Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 531-1221

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		189.30
Barre		
Carlton	650.00	
Clarendon	3,217.35	
Gaines		
Kendall		
Murray		
Ridgeway	351.86	
Shelby		340.20
Yates		

Total amount charged to Towns: \$ 4,748.71

RESOLUTION NO. 534-1221

APPROVING ABSTRACT OF 2022 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2022 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost per Unit	Total to be Collected
Albion	2,094.00	216.00	\$ 452,304.00
Barre	778.00	216.00	168,048.00
Carlton	1,578.50	216.00	340,956.00
Clarendon	1,090.50	216.00	235,548.00
Gaines	1,061.50	216.00	229,284.00
Kendall	1,114.00	216.00	240,624.00
Murray	1,599.00	216.00	345,384.00
Ridgeway	2,497.00	216.00	539,352.00
Shelby	1,724.50	216.00	372,492.00
Yates	1,171.50	216.00	253,044.00
Totals	14,708.50		\$3,177,036.00

*Includes \$2.00 Administrative charge per unit.

Moved, DeRoller; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 535-1221

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, DeFilippis, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 536-1221

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, DeFilipps, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator DeRoller stated that there are significant numbers of tires at the Town and Village highways. We want to be good stewards of our environment. This will be a one-time tire cleanup. The following resolution was adopted.

RESOLUTION NO. 537-1221

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND MODERN DISPOSAL SERVICES FOR TIRE DISPOSAL

WHEREAS, the Orleans County Solid Waste program strives to recycle and reduce hazardous waste within the County; and

WHEREAS, tires have become a significant challenge in maintaining a clean environment in the county; and

WHEREAS, the County of Orleans is committed “as good stewards of our environment”; now be it

RESOLVED, that this Legislature approves an agreement with Modern Disposal Services, Inc., 4746 Model City Road, Model City, NY 14107-0209 for a one-time service of disposing tires that have been collected by the Towns and Villages in Orleans County; not to exceed \$25,000.00; be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute these agreements subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Roll Call: 5 ayes-Allport, DeFilipps, DeRoller, Draper, Eick, Johnson; 0 nayst; 1absent-Miller.
Adopted.

RESOLUTION NO. 538-1221

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET AND VETERANS SERVICES BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget accepting funds as a pass through to the Veterans Services Agency for the Dwyer Peer to Peer Program as follows:

REVENUE:

01.4310.1625	Miscellaneous Revenue	\$13,124
--------------	-----------------------	----------

APPROPRIATION:

01.4310.0418	Other Contractual	\$13,124
--------------	-------------------	----------

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Veterans Services Budget to accept the Dwyer Peer to Peer Program monies received by the Orleans County Mental Health Department as follows:

REVENUE:

01.6510.3711	Dwyer – Peer to Peer Program	\$13,124
--------------	------------------------------	----------

APPROPRIATION:

01.6510.0486	Special Grants	\$13,124
--------------	----------------	----------

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Chairman Johnson ask the Legislators for any old or unfinished business.

Legislator DeFilipps asked CAO Welch how much money, at the beginning of the budget planning, needed to be knocked out. CAO Welch stated the amount was \$9 million. Mr. DeFilipps stated it was less last year. This was escalated. There have been repairs and other item that needed money. We didn't bond last year which created the issue. The budget officer and deputy and everybody else, did a fair budget. Moving forward there are things that need to be addressed.

Legislator DeRoller stated that he was at an Inter-County discussion saying that the Medicaid and Medicare line item of the State is going to \$90 billion. School aid program is going to \$27 .5 billion. Those two line items make up 85% pf the state budget out of out of \$215 billion. That is only 15% of the County budget that we are squandering over. We need to keep an eye on the State of NY. The Inter-County is a great vehicle. Together there are 19 counties at the table with NYSAC at the table. We need to push forward and keep this money under control. If you take NYS with NYC, they are taking over \$98 billion, going over \$110 billion at this point. This is collapsing the state. We have some real issues as a rural county with a population of only 40,000. That space collectively is very important. Inter-County is again a valuable asset to put pressure on the State.

Chairman Johnson stated budget as a whole, 86% is mandated. Then look at what is not mandated: 911 services, road patrol, and snow plows. These are the things that tax payer's expect. That is the only things that they State has not governed us on. For putting a budget

together during COVID when revenues were incredibly down other than sales tax, which Legislator Allport pointed out, you put forth an amazing budget. I am proud to support it.

The Chairman then asked for any public comment and she received none. There being none offered, Legislator DeFilipps moved to adjourn; second by Legislator Draper.
Meeting adjourned at 4:45 p.m.